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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,420	10/13/2000	Peter Joseph Rock	13DV13812	8491

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EXAMINER

CHEN, CHONGSHAN

ART UNIT PAPER NUMBER

2172

DATE MAILED: 05/06/2004

18

Please find below and/or attached an Office communication concerning this application or proceeding.

12

Office Action Summary

Application No.

09/687,420

Applicant(s)

ROCK ET AL.

Examiner

Chongshan Chen

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Request for Continued Examination, filed on 29 March 2004. This action is non-final. Claims 1-18 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haq et al. ("Haq", 6,275,812) in view of Tuttle (6,591,246).

As per claim 1, Haq disclosing a method for determining candidates to interview, said method comprising the steps of:

providing pre-determined desired qualities for a candidate (Haq, col. 5, lines 25-36, "ISDRM allows specific job functions (roles and responsibilities) in a specialty to be identified by a skills template. A skill template basically identifies the relevant importance of each skill (Weights) and the skill level (Index) required in each skill to perform a job function. ... A

Art Unit: 2172

template basically identifies what skill levels are required and what is their importance for a job function”);

determining if the candidate possesses at least one of a plurality of independent characteristics (Haq, Fig. 5, col. 6, lines 1-67);

generating a database including at least one characteristic for each candidate wherein the at least one characteristic is correlative to the desired qualities (Haq, Fig. 2, ISDRM Database);

normalizing the characteristics, normalizing includes comparing a total number of characteristics, possessed by the candidate, of a combination of characteristics that determine each desired quality, to a total number of possibly possessed characteristics for the desired quality, and assigning a value to each desired quality based on the comparison (Haq, Fig. 5-10, col. 6, lines 5-50, “Suitability Skill Index Average (SSIA) gives a measure of the suitability of an employee for an assignment. To assess the suitability of an employee, for a particular job assignment, his/her skills, from the skills assessment forms in the employee database are assessed against the given skills template for a job function. A suitability assessment form is generated for the employee in which the skill weights are duplicated from the skills template and the skill indices, for the employee, are copied from the Employee Database”);

displaying results for each candidate based on the desired quality values (Haq, col. 10, lines 40-43, “outputs of various of request/queries to the database”).

Haq discloses select suitable employees (Haq, col. 5, lines 52-53), but does not disclose select to interview. However, it is well known that the hiring procedure includes selecting suitable candidates for interview. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to select candidate to interview in the system of Haq

Art Unit: 2172

in order to decide which candidate is the most suitable candidate through the interview process if there are several candidates with same the high suitability weight value.

Haq does not explicitly disclose the desired qualities include at least two of analytical ability, self-confidence, initiative, change orientation, and interpersonal skills. Tuttle teaches desired qualities include at least two of analytical ability, self-confidence, initiative, change orientation, and interpersonal skills (Tuttle, col. 2, lines 60-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the desired qualities in the system of Haq in order to provide detailed information about a candidate. These detailed information will help a manager to better assess the candidate's suitability for the project.

As per claim 2, Haq and Tuttle teach all the claimed subject matters as discussed in claim 1, and further disclose storing the predetermined desired qualities for a candidate within the database, the desired qualities include analytical ability, self-confidence, initiative, change orientation, and interpersonal skills (Tuttle, col. 2, lines 60-67).

As per claim 3, Haq and Tuttle teach all the claimed subject matters as discussed in claim 1, and further disclose obtaining pre-determined desired qualities associated with each characteristic (Haq, col. 5, lines 25-36); and normalizing characteristics of each candidate with the pre-determined desired qualities associated with each characteristic (Haq, col. 6, lines 5-50).

As per claim 4, Haq and Tuttle teach all the claimed subject matters as discussed in claim 1, and further disclose summing the normalized characteristics of each candidate; and dividing the sum total of the normalized characteristics by a pre-determined value representing a total amount possible (Haq, col. 5, lines 1-5).

As per claim 5, Haq and Tuttle teach all the claimed subject matters as discussed in claim 1, and further disclose displaying the results (Haq, col. 10, lines 40-43), which inherently includes displaying the results of the candidates in at least one of a tabular output format and a graphical output format.

Claims 6-8 rejected on grounds corresponding to the reasons given above for claims 1-3.

As per claim 9, Haq and Tuttle teach all the claimed subject matters as discussed in claim 6, and further disclose

rank each candidate based on normalized characteristics (Haq, Fig. 11); and
sum the normalized characteristics of each candidate (Haq, col. 5, lines 1-5).

As per claim 10, Haq and Tuttle teach all the claimed subject matters as discussed in claim 9, and further disclose divide the sum total of all normalized characteristics by an amount representing a pre-determined possible total (Haq, col. 5, lines 1-5).

As per claim 11, Haq and Tuttle teach all the claimed subject matters as discussed in claim 6, and further disclose displaying the results (Haq, col. 10, lines 40-43), which inherently includes displaying the results of the candidates in at least one of a tabular output format and a graphical output format.

Claims 12-13 are rejected on grounds corresponding to the reasons given above for claims 1-2.

As per claim 14, Haq and Tuttle teach all the claimed subject matters as discussed in claim 12, and further disclose normalizing the characteristics, said processor further programmed with pre-determined desired qualities associated with each characteristic (Haq, col. 5, lines 25-36).

As per claim 15, Haq and Tuttle teach all the claimed subject matters as discussed in claim 12, and further disclose normalize the characteristics, said processor further programmed to normalize candidate characteristics with known qualities associated with each characteristic (Haq, col. 5, lines 25-36).

As per claim 16, Haq and Tuttle teach all the claimed subject matters as discussed in claim 12, and further disclose summing the normalized characteristics of each candidate; and dividing the sum total of the normalized characteristics by an amount representing a predetermined possible total (Haq, col. 5, lines 1-5).

As per claim 17, Haq and Tuttle teach all the claimed subject matters as discussed in claim 16, and further disclose displaying the results (Haq, col. 10, lines 40-43), which inherently includes displaying the results of the candidates in a tabular output format.

As per claim 18, Haq and Tuttle teach all the claimed subject matters as discussed in claim 16, and further disclose displaying the results (Haq, col. 10, lines 40-43), which inherently includes displaying the results of the candidates in a graphical output format.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is 703-305-8319. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703)305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2172

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 29, 2004



SHAHID ALAM
PRIMARY EXAMINER